

# EXHIBIT 16

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**DECLARATION OF ATHEL CURTIS**

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I, Athel Curtis, state as follows:

1. I am over the age of 18 and competent to testify as to the matters expressed herein.
2. In October, 2020, I retained the law firm of Visser and Associates, PLLC to represent my interests with respect to my claims to surplus equity from a property tax foreclosure on property in Ingham County. I continue to be represented by Visser and Associates, PLLC to this day.
3. I received a postcard that informed me that I was a potential member of the proposed settlement class in *Wayside v Van Buren County*, No. 1:14-cv-1274.
4. In late May or early June 2023 I received a phone call from a number that showed up on my caller ID as Fink Bressack. I spoke to a person who said his name was David, and said he was calling regarding the class action suit and foreclosure on my property. He told me he would be sending me some materials and to sign them and send them back as quickly as possible.
5. I was confused and believed that this call was from my attorneys.
6. Later, I received mail from my attorneys on the same day as a letter arrived from Fink Bressack. That is when I realized David was not my attorney.

7. In late June David from Fink Bressack called again and spoke with me, telling me I was entitled to approximately \$17,000. I asked if I would have to pay fees out of that, and was advised that the fees were “already paid.” He told me if I got the paperwork he sent me in immediately, the settlement should be done and I should get a check in October or November.

8. On Monday, July 10, 2023 I received a phone call. I did not get to the phone in time to pick up.

9. I used the call back button on my phone to call back. When I was told it was Fink, Bressack, I ended the call.

10. However, the same day, I received another call from Fink Bressack and a voice mail message from a person who identified himself as David indicating that I had called “several times” and if I had questions I should call him back.

11. I was confused by these calls, and initially thought that it was my attorney calling.

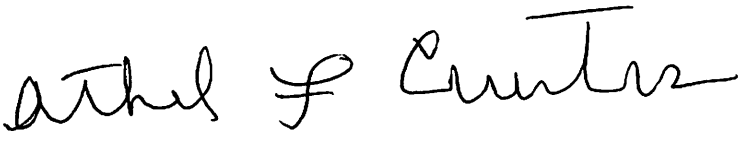
12. I never chose to have Fink Bressack or Class Counsel represent me in this or any other matter. I do not want Fink Bressack or Class Counsel to represent me. I am satisfied with my representation by the attorneys I have chosen, Visser and Associates, PLLC.

13. My Attorneys, Visser and Associates PLLC, have provided me with a copy of the long form Notice which the Court's preliminary approval order had required to be sent to potential claimants.

14. I have elected to opt out of the Wayside class and pursue my claims separately. It is my understanding that I am no longer a member of the class and that Class Counsel does not represent me.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 7/13/2023

  
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ATHEL CURTIS

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**DECLARATION OF GEORGE H. NEWELL**

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I, George H. Newell, being duly sworn, state as follows:

1. I am over the age of 18 and competent to testify as to the matters expressed herein.

2. In September 2020, I retained the law firm of Visser and Associates, PLLC to represent my interests with respect to my claims to surplus equity from a property tax foreclosure on property in Van Buren County. I continue to be represented by Visser and Associates, PLLC to this day.

3. My claim arises from the sale of property located at 73377 CR 378, Covert, Michigan, by Van Buren County at tax auction. The sale of the property created a surplus of \$10,350.00.

4. My Attorneys, Visser and Associates PLLC, have provided me with a copy of the long form Notice which I understand the Court's preliminary approval order had required to be sent to potential claimants together with a claim form.

5. On or about last week I was contacted by a female, upon information and belief named Angie, regarding filing a claim in the *Wayside* matter. The phone call I received was confusing and misleading. From jumpstreet I made it clear that I was represented by Visser & Associates and wanted to make sure the people I was

speaking with were from Visser and Associates. I read them the letterhead and the address 2480 44<sup>th</sup> St. and they indicated that yes they worked with my attorneys and that I needed to file a claim. The woman on the phone gave me a Special ID Number 666311GW0XD3X and Claim Number WCF0002898. I was led to believe I was speaking with someone from Visser and Associates. I asked if the call was associated with the attorneys sending me emails about signing documents about getting out of settlement. I explained that these lawyers had explained the class settlement and the process of opting out of the class settlement. The caller said they were associated with Visser and Associates and that I needed to file a claim. I made the claim over the phone.

6. I was tricked into submitting a claim form over the phone— which I now rescind.

7. I have elected to opt out of the Wayside class and pursue my claims independently.

8. I never chose to have Class Counsel represent me in this or any other matter. I do not want Class Counsel to represent me. I am satisfied with my representation by the attorneys I have chosen, Visser and Associates, PLLC.

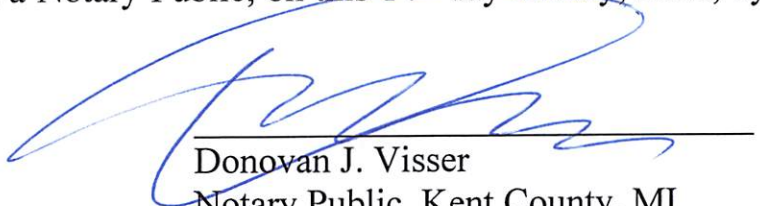
*Further, affiant sayeth not.*

Dated: July 14, 2023

  
George H. Newell 7/14/23

STATE OF MICHIGAN       )  
  )ss  
COUNTY OF KALAMAZOO )

Subscribed to before me, a Notary Public, on this 14<sup>th</sup> day of July, 2023, by  
George H. Newell.

  
Donovan J. Visser  
Notary Public, Kent County, MI  
Acting in Kalamazoo County  
My Commission Expires: 05/21/2027